

EXHIBIT A

(PART 2)

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20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y Choi whose telephone number is (703) 308-4792. The examiner can normally be reached on Monday-Friday (8:30-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-8303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-7724.

JC
April 18, 2002


THOMAS M. BENDER
PRIMARY EXAMINER

Notice of References Cited	Application/Control No. 09/952,798	Applicant(s)/Patent Under Reexamination GOLDSTEIN ET AL.	
	Examiner Jacob Y Choi	Art Unit 2875	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5608203	03-1997	Finkelstein et al.	235/487
	B	US-4889419	12-1989	Kite	350/600
	C	US-6070990	06-2000	Dalton et al.	362/201
	D	US-4393610	07-1983	Adrian	40/625
	E	US-5457613	10-1995	Vandenbelt et al.	362/200
	F	US-5893631	04-1999	Padden	362/201
	G	US-6039454	03-2000	Hallgrimsson	362/116
	H	US-5927846	07-1999	Sinclair	362/189
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:
Goldstein et al.

Serial No.:
09/952,798

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14 September 2001

For:
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Art. Unit: 2875

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RESPONSE, AMENDMENT AND REQUEST FOR RECONSIDERATION

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231
BOX NON-FEE AMENDMENT

Dear Sir:

This is a response to the Office Action mailed 29 April 2002. A shortened statutory period for response was set for 3 months, up to and including 29 July 2002.

Claims 1-31 are pending in this application.

Claims 1-31 are rejected.

Reconsideration is respectfully requested in view of the following amendments and remarks.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks,

Washington, D.C. 20231, on 10 July 02
(Date of Deposit)

Michael W. Goffey, Reg. No. 39,692
Name of applicant, assistant, or registered r.p.

Signature Date 7/10/2002

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AMENDMENTS

Kindly amend the application as follows:

In the Claims

Claims 2 and 8, please cancel without prejudice to the subsequent filing of a continuation application.

Claims 1, 3, 7, 9, 18, 20, 21 and 29, please amend as follows:

1. (Amended) Apparatus comprising:

a commercial card-sized chassis having an opening; [and]

a magnifying lens disposed at the opening;

a switch carried by the chassis; and

a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed for projecting light directly away from the magnifying lens for illuminating objects confronting the magnifying lens.

3. (Amended) Apparatus of claim [2]1, wherein the chassis includes opposing major faces and the light is disposed so that it is capable of directing light away from one of the opposing major faces.

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7. (Amended) Apparatus comprising:

a commercial card-sized chassis having opposing major faces; [and]

a mirror disposed proximate one of the opposing major faces;

a switch carried by the chassis; and

a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed for projecting light directly away from the mirror for illuminating objects confronting the mirror.

9. (Amended) Apparatus of claim [8]7, wherein the light is disposed so that it is capable of directing light away from the one of the opposing major faces.

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18. (Amended) Apparatus comprising:

a commercial card-sized chassis having opposing major faces;

a switch carried by the chassis; [and]

a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch; and

the light disposed at one of the opposing major faces for projecting light directly away from and illuminating objects confronting the one of the opposing major faces.

20. (Amended) Apparatus of claim 18, further including a mirror disposed proximate the one of the opposing major faces.

21. (Amended) Apparatus of claim 20, wherein the light is disposed so that it is capable of directing light away from the mirror illuminating objects confronting the mirror [one of the opposing major faces].

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29. (Amended) Apparatus comprising:

a commercial card-sized chassis having opposing major faces and an opening;

a magnifying lens disposed at the opening;

a mirror disposed proximate one of the opposing major faces;

a switch carried by the chassis; and

a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light [being] is disposed [so that it is] to be capable of [directing] projecting light away from and illuminating objects confronting at least one of the magnifying lens and the mirror [the one of the opposing major faces].

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REMARKS

Status of the Claims

Claims 2 and 8 are canceled without prejudice to the subsequent filing of a continuation application. Claims 1, 3, 7, 9, 18, 20, 21 and 29 are amended. Claims 1, 3-7 and 9-31 are pending in this case, of which claims 1, 7, 13, 18, 24 and 29 are independent. Based on the ensuing discussion, all rejections are traversed and are now deemed moot and should be withdrawn. All claims presently pending in this case are believed to be in condition for allowance, which action is earnestly solicited.

Prosecution History

The prosecution history is important for most patents, because it normally contains contemporaneous exchanges between the patent applicant and the Patent Office about what the claims mean. The prosecution history is thus a guide for teaching and clarifying what the claims mean and, more particularly, what the claim terms mean, because claim terms drive the meaning of claims. The meaning of claim terms must be given not only their structural meaning, but also their functional meaning. In this vein, an Examiner is not permitted to dissect a claim and remove the functional limitations before determining anticipation. Moreover, functional limitations in claims must be afforded patentable weight by the Examiner for determining anticipation.¹

¹See, e.g., *In re Ludtke*, 441 F.2d 660, 169 USPQ 563, 566 (C.C.P.A. 1971); *In re Atwood*, 354 F.2d 365, 148 USPQ 203, 210 (C.C.P.A. 1966); *In re Bisley*, 197 F.2d 355, 94 USPQ

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A. 35 U.S.C. 102(b)

1. Finkelstein et al. (US Patent 5,608,203)

Claims 1 and 5 stand rejected under 35 U.S.C. 102(b) as being anticipated by Finkelstein et al. (US Patent 5,608,203). In independent claim 1, applicants claim a commercial card-sized chassis having an opening, a magnifying lens disposed at the opening, a switch carried by the chassis, and a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed for projecting light directly away from the magnifying lens for illuminating objects confronting the magnifying lens. Finkelstein et al. fails to teach of applicants' claimed light and switch for actuating the light and, moreover, the claimed disposition of the light for projecting light away from the claimed magnifying lens for illuminating objects confronting the magnifying lens. Absent these teachings, Finkelstein et al. is an incompetent section 102(b) reference against applicants' independent claim 1. Accordingly, the rejections of independent claim 1 and its dependent claim 5 under section 102(b) as being anticipated by Finkelstein et al. are now believed moot and should be withdrawn.

2. Kite (US Patent 4,889,419)

Claim 7 stands rejected under 35 U.S.C. 102(b) as being anticipated by Kite (US Patent 4,889,419). In independent claim 7, applicants claim a commercial card-sized chassis having opposing major faces, a mirror

80, 83 (C.C.P.A. 1952).

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disposed proximate one of the opposing major faces, a switch carried by the chassis, and a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed for projecting light directly away from the mirror for illuminating objects confronting the mirror. Kite fails to teach of applicants' claimed light and switch for actuating the light and, moreover, the claimed disposition of the light for projecting light directly away from the mirror for illuminating objects facing the mirror. Absent these teachings, Kite is an incompetent section 102(b) reference against applicants' independent claim 7. Accordingly, the rejection of independent claim 7 under section 102(b) as being anticipated by Kite is now believed moot and should be withdrawn.

3. Dalton et al. (US Patent 6,070,990)

Claim 18 stands rejected under 35 U.S.C. 102(b) as being anticipated by Dalton et al. (US Patent 6,070,990). In independent claim 18, applicants claim a commercial card-sized chassis having opposing major faces, a switch carried by the chassis, a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, and the light disposed at one of the opposing major faces for projecting light directly away from and illuminating objects confronting the one of the opposing major faces. Dalton et al. fail to teach of the claimed disposition of applicants' light, namely, the light disposed at one of the opposing major faces of the chassis for projecting light directly away from and illuminating objects confronting the one of the opposing major faces. Absent these teachings, Dalton et al. is an

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incompetent section 102(b) reference against applicants' independent claim 18. Accordingly, the rejection of independent claim 18 under section 102(b) as being anticipated by Dalton et al. is now believed moot and should be withdrawn.

B. 35 U.S.C. 103(a)

1. Finkelstein et al. (US Patent 5,608,203), Dalton et al. (US Patent 6,070,990)

Claims 2 and 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Finkelstein et al. (US Patent 5,608,203) in view of Dalton et al. (US Patent 6,070,990). Claim 2 is now canceled, which renders moot the section 103(a) rejection of that claim. Claim 3 depends from independent claim 1. Claim 1 is not rejected under section 103. As discussed above in SA, independent claim 1 is believed to be in condition for allowance. Because dependent claim 3 depends from independent claim 1; which is believed to be in condition for allowance, the section 103 rejection of dependent claim 3 is believed moot and should be withdrawn.

Considering Finkelstein et al. and Dalton et al., Examiner asserts that Finkelstein et al. disclose the claimed invention, with the exception of a light carried by the chassis that is capable of being actuated in response to actuation of a switch. However, Examiner further asserts that Dalton et al. disclose a card light assembly having a switch carried by the chassis and a light carried by the chassis that is capable of being actuated in response to actuation of the switch. Examiner concludes that it would have been obvious to combine the teachings of

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Finkelstein et al. with Dalton et al. because the invention of Dalton et al. relates to card lights, particularly to a disposable flashlight of credit card size to readily fit within a wallet or purse for use in finding items or to see things close up. Examiner also states that the lighting means of Dalton et al. can be easily combined with a credit card of Finkelstein et al. with a simple magnifying lens means.

With regard to dependent claim 3, Examiner asserts that Finkelstein et al. disclose the claimed invention, and that Dalton et al. disclose the chassis having opposing faces and the light is disposed so that it is capable of directing light away from one of the opposing faces. Examiner concludes that it would have been obvious to locate the light onto the opposing major faces, since it has been held that rearranging parts of an invention involves only routine skill.

In accordance with standard Patent Office practice, the Examiner has the burden of establishing a prima facie case of obviousness. (Manual of Patent Examining Procedure, M.P.E.P. 2142). Three basic criteria must be met to establish a prima facie case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or the references when combined) must teach or suggest all the claim limitations. According to the U.S. Court of Appeals for the Federal

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Circuit, "[t]he test for obviousness is not whether the features of one reference may be bodily incorporated into another reference. . . . Rather, we look to see whether combined teachings render the claimed subject matter obvious."² Also, "[o]bviousness cannot be established by combining the teachings of the prior art to produced the claimed invention, absent some teaching suggestion or incentive supporting the combination."³

In independent claim 1, applicants claim a commercial card-sized chassis having an opening, a magnifying lens disposed at the opening, a switch carried by the chassis, and a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed for projecting light directly away from the magnifying lens for illuminating objects confronting the magnifying lens. In rejecting dependent claim 2, Examiner states that *it would have been obvious to combine the teachings of Finkelstein et al. with Dalton et al. because the invention of Dalton et al. relates to card lights, particularly to a disposable flashlight of credit card size to readily fit within a wallet or purse for use in finding items or to see things close up.* Examiner also states that *the lighting means of Dalton et al. can be easily combined with a credit card of Finkelstein et al. with a simple magnifying lens means.*

²In re Wood, 599 F.2d 1032, 202 USPQ 171, 174 (C.C.P.A. 1979) (emphasis added) (citing In re Bozek, 416 F.2d 1385, 1390, 163 U.S.P.Q. 545, 549-50 (C.C.P.A. 1969); In re Mapelsden, 329 F.2d 321, 322, 141 USPQ 30, 32 (C.C.P.A. 1964)).

³ See In re Geiger, 815 F.2d 686, 2 USPQ 2d 1276, 1278 (Fed. Cir. 1987).

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An invention does not make itself obvious; that suggestion or teaching must come from the prior art. Examiner's conclusion that it *would have been obvious to combine the teachings of Finkelstein et al. with Dalton et al. because the invention of Dalton et al. relates to card lights* does not come from Finkelstein et al. or from Dalton et al. Simply concluding obviousness because inventions of patents relate to one another is not enough for a competent section 103 rejection. There is no teaching or suggestion in Finkelstein et al. of the desirability of incorporating a light positioned to illuminate objects confronting a magnifying lens. There is no teaching or suggestion in Dalton et al. of the desirability of incorporating a magnifying lens and, moreover, positioning the light to illuminate objects confronting a magnifying lens. The teaching or suggestion to combine the teachings of Finkelstein et al. with Dalton et al. comes from applicants' patent application and not from the prior art, namely, Finkelstein et al. and/or Dalton et al. Moreover, [i]t is insufficient to establish obviousness that the separate elements of the invention existed in the prior art, absent some teaching or suggestion, in the prior art, to combine the elements."⁴ Although the Examiner has identified, in the prior art, a commercial card-sized chassis, a magnifying lens, a switch and a light, the Examiner has not identified a teaching or suggestion in the prior art to combine these elements as claimed and set forth by applicants in independent claim 1.

⁴ Arkie Lures, Inc. v. Gene Larew Tackle, Inc., 119 F.3d 953, 43 USPQ 2d 1294 (Fed. Cir. 1997).

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Furthermore, although Examiner states that *the lighting means of Dalton et al. can be easily combined with a credit card of Finkelstein et al. with a simple magnifying lens means*, Examiner has failed to identify such a teaching or suggestion in the prior art, namely, Finkelstein et al. and/or Dalton et al., and appears to be working from personal knowledge in making this statement. Applicants respectfully traverse Examiner's reasoning and respectfully request an affidavit from Examiner.

2. Finkelstein et al. (US Patent 5,608,203), Dalton et al. (US Patent 6,070,990), Kite (US Patent 4,889,419)

Claims 4 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Finkelstein et al. (US Patent 5,608,203) in view of Dalton et al. (US Patent 6,070,990) as applied to claims 2 and 3 and further in view of Kite (US Patent 4,889,419). In rejecting claim 4, Examiner asserts that Finkelstein et al. or Dalton et al. do not specifically disclose a card having a mirror disposed proximate one of the opposing major faces, but that Kite discloses a mirror. Based on this, Examiner concludes that "it would have been obvious to combine teachings of either Finkelstein et al. or Dalton et al. with teachings of Kite because mentioned references relate to a credit card like device having different feature and providing a mirror to a card device would have been obvious to combine with rest of features, such as magnifying lens and light means with its corresponding switch."

In rejecting claim 6, Examiner asserts that Finkelstein et al. disclose the claimed invention except for a measuring indicia, but concludes that it would have

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been obvious to combine measure feature to a card device disclosed by Finkelstein et al. since it is known that a flat surface can be utilized as a measuring means with desired increments.

Claims 4 and 6 depend from independent claim 1. As set forth in SB(1) (and also in SA), Finkelstein et al. and Dalton et al. each fail to teach or reasonably suggest of the invention claimed in independent claim 1. This renders moot Examiner's section 103 rejections of dependent claims 4 and 6, which rejections should now be withdrawn.

Nevertheless, an invention does not make itself obvious; that suggestion or teaching must come from the prior art. Examiner's conclusion that *it would have been obvious to combine teachings of either Finkelstein et al. or Dalton et al. with teachings of Kite because mentioned references relate to a credit card like device having different feature and providing a mirror to a card device would have been obvious to combine with rest of features, such as magnifying lens and light means with its corresponding switch* does not come from Finkelstein et al. or from Dalton et al. or from Kite. Simply concluding obviousness because inventions of patents relate to one another is not enough for a competent section 103 rejection. There is no teaching or suggestion in Finkelstein et al. of the desirability of incorporating a mirror with a device as claimed in applicants' independent claim 1. There is no teaching or suggestion in Dalton et al. of the desirability of incorporating a mirror with a device as claimed in applicants' independent claim 1. There is no teaching or suggestion in Kite of incorporating

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the device it discloses with a light or a magnifying device as set forth and claimed in applicants' independent claim 1. The teaching or suggestion to combine the teachings of Finkelstein et al. or Dalton et al. with Kite comes from applicants' patent application and not from the prior art, namely, Finkelstein et al. and/or Dalton et al. and Kite.

Furthermore, although Examiner states that Finkelstein et al. disclose the claimed invention except for a measuring indicia but concludes that it would have been obvious to combine measure feature to a card device disclosed by Finkelstein et al. since it is known that a flat surface can be utilized as a measuring means with desired increments, Finkelstein et al. do not disclose the invention claimed in independent claim 1 as discussed in SB(1) and Examiner has failed to identify such a teaching or suggestion in the prior art, namely, Finkelstein et al. and/or Kite. It appears Examiner is working from personal knowledge in making this statement. Applicants respectfully traverse Examiner's reasoning and respectfully request an affidavit from Examiner.

3. Kite (US Patent 4,889,419), Dalton et al. (US Patent 6,070,990)

Claims 8 and 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kite (US Patent 4,889,419) in view of Dalton et al. (US Patent 6,070,990). Claim 8 is now canceled, which renders moot the section 103(a) rejection of that claim. Accordingly, the rejection of claim 8 should now be withdrawn. Claim 9 depends from independent claim 7. Claim 7 is not rejected under section 103 as being unpatentable over Dalton et al. in view of

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Kite. As discussed above in SA, independent claim 7 is believed to be in condition for allowance. Because dependent claim 9 depends from independent claim 7, which is believed to be in condition for allowance, the section 103 rejection of dependent claim 9 is believed moot and should be withdrawn.

In independent claim 7, applicants claim a commercial card-sized chassis having opposing major faces, a mirror disposed proximate one of the opposing major faces, a switch carried by the chassis, and a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed for projecting light directly away from the mirror for illuminating objects confronting the mirror.

Examiner asserts that Kite discloses the claimed invention, but not a switch and a light. However, Examiner asserts that Dalton et al. discloses a card light assembly having a switch and a light. Accordingly, Examiner concludes that it would have been obvious to combine teachings of Kite with Dalton et al. because the invention of Dalton et al. relates to card lights, and that lighting means of Dalton et al. may be easily combined with a credit card of Kite with a simple mirror.

Again, an invention does not make itself obvious; that suggestion or teaching must come from the prior art. Examiner's conclusion that it would have been obvious to combine teachings of Kite with Dalton et al. because the invention of Dalton et al. relates to card lights, and that lighting means of Dalton et al. may be easily combined with

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a credit card of Kite with a simple mirror does not come from Kite or from Dalton et al. as there is no such teaching in Kite or in Dalton et al. Simply concluding obviousness because inventions of patents relate to one another is not enough for a competent section 103 rejection. There is no teaching or suggestion in Kite of incorporating a light positioned to illuminate objects confronting a mirror. There is no teaching or suggestion in Dalton et al. of the desirability of incorporating a mirror and, moreover, positioning the light to illuminate objects confronting a mirror. The teaching or suggestion to combine the teachings of Kite with Dalton et al. comes from applicants' patent application and not from the prior art, namely, Kite and/or Dalton et al.

With regard to dependent claim 9, Examiner asserts that Kite in view of Dalton et al. discloses the claimed invention, and that it would have been obvious to locate the light onto opposing major faces, since it has been held that rearranging parts of an invention involves only routine skill. However, Kite does not teach or reasonably suggest of the invention claimed in independent claim 7 as explained above, which renders moot this rejection of dependent claim 9.

4. Kite (US Patent 4,889,419), Finkelstein et al. (US Patent 5,608,203)

Claims 10 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kite (US Patent 4,889,419) in view of Finkelstein et al. (US Patent 5,608,203). Claims 10 and 11 depend from independent claim 7. Claim 7 is not rejected under section 103 as being

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unpatentable over Kite in view of Finkelstein et al. As discussed above in \$A, independent claim 7 is believed to be in condition for allowance. As discussed in \$B(3), Kite does not teach or reasonably suggest of the invention claimed in independent claim 7, which renders moot the rejections of dependent claims 10 and 11. Accordingly, the section 103 rejections of claims 10 and 11 should now be withdrawn.

There is no teaching or suggestion in Kite of incorporating a magnifying lens. There is no teaching or suggestion in Finkelstein et al. of the desirability of incorporating a mirror and, moreover, positioning the light to illuminate objects confronting a mirror. The teaching or suggestion to combine the teachings of Kite with Finkelstein et al. comes from applicants' patent application and not from the prior art, namely, Kite and/or Finkelstein et al.

5. Kite (US Patent 4,889,419)

Claim 12 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kite (US Patent 4,889,419). Claim 12 depends from independent claim 7. Claim 7 is not rejected under section 103 as being unpatentable over Kite. As discussed above in \$A, independent claim 7 is believed to be in condition for allowance. As discussed in \$B(4), Kite does not teach or reasonably suggest of the invention claimed in independent claim 7, which renders moot the rejection of dependent claim 12. Accordingly, the section 103 rejection of claim 12 should now be withdrawn.

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Furthermore, although Examiner states that Kite discloses the claimed invention except for a measuring indicia but concludes that it would have been obvious to combine measure feature to a card device disclosed by Kite since it is known that a flat surface can be utilized as a measuring means with desired increments, Kite does not disclose the invention claimed in independent claim 7 as previously discussed and Examiner has failed to identify such a teaching or suggestion in the prior art. It appears Examiner is working from personal knowledge in making this statement. Applicants respectfully traverse Examiner's reasoning and respectfully request an affidavit from Examiner.

6. Finkelstein et al. (US Patent 5,608,203), Kite (US Patent 4,889,419)

Claims 13, 16, 17, 24, 27 and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Finkelstein et al. (US Patent 5,608,203) in view of Kite (US Patent 4,889,419). Claims 13 and 24 are independent claims. Claims 16 and 17 depend from independent claim 13 and claims 27 and 28 depend from independent claim 24.

In independent claim 13, applicants claim a commercial card-sized chassis, and a two-way lens disposed at the opening, which includes a first side permitting magnification and a second side permitting reflection. In independent claim 24, applicants claim a commercial card-sized chassis having opposing major faces and an opening, a magnifying lens disposed at the opening, and a mirror disposed proximate one of the opposing major faces.

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With regard to independent claims 13 and 24, Examiner asserts that Finkelstein et al. discloses a lens permitting magnification, but does not specifically disclose a mirror, which permits a reflection. However, Examiner further asserts that Kite discloses a mirror permitting reflection, and that it would have been obvious "to combine teachings of Finkelstein et al. with teachings of Kite because mentioned references relate to a credit card or card like device having different feature and providing a simple mirror to a card device would have been obvious to combine with rest of features, such as magnifying lens." However, there is no such teaching or suggestion of this in the prior art, namely, Finkelstein et al. and or Kite. Finkelstein et al. do not teach or reasonably suggest the desirability of employing a mirror, and Kite does not teach or reasonably suggest the desirability of employing a magnifying lens. Accordingly, Examiner's section 103 rejections of independent claims 13 and 24 are believed moot and should be withdrawn. Accordingly, the rejections of dependent claims 16, 17, 27 and 28 are also believed moot and should be withdrawn.

With regard to 17 and 28, applicant adopts the argument previously made concerning the measuring indicia in SB(5). Finkelstein et al. and/or Kite do not disclose the invention claimed in independent claim 7 as previously discussed and Examiner has failed to identify such a teaching or suggestion in the prior art concerning the measuring indicia and of the desirability of providing measuring indicia. It appears Examiner is working from personal knowledge in making this statement. Applicants

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respectfully traverse Examiner's reasoning and respectfully request an affidavit from Examiner.

7. Finkelstein et al. (US Patent 5,608,203), Kite (US Patent 4,889,419), Dalton et al. (US Patent 6,070,990)

Claims 14, 25 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Finkelstein et al. (US Patent 5,608,203) in view of Kite (US Patent 4,889,419) as applied to independent claim 13, and further in view of Dalton et al. (US Patent 6,070,990). Claim 14 depends from independent claim 13 and claims 25 and 26 depend from independent claim 24. As discussed above in §B(6), the section 103 rejections of independent claims 13 and 24 are believed overcome. Independent claims 13 and 14 are believed to be in condition for allowance. Accordingly, the section 103 rejections of dependent claims 14, 25 and 26 are believed moot and should be withdrawn.

Applicants traverse Examiner's rejections of dependent claims 14, 25 and 26 for reasons previously set forth in section §B(2) and §B(6). In this regard, Finkelstein et al. and Kite, taken individually in proper combination, do not teach or reasonably suggest incorporating a light and switch. Dalton et al. do not teach or reasonably suggest the desirability of incorporating a magnifying lens and/or a mirror.

8. Dalton et al. (US Patent 6,070,990), Finkelstein et al. (US Patent 5,608,203)

Claim 19 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Dalton et al. (US Patent 6,070,990) in view of Finkelstein et al. (US Patent 5,608,203).

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Applicant traverses this section 103 rejection of dependent claim 19. Claim 19 depends from independent claim 18, which is believed to be in condition for allowance as explained in SA. Accordingly, the section 103 rejection of dependent claim 19 is believed moot and should be withdrawn. Nevertheless, Dalton et al. and/or Finkelstein et al. fail to teach or reasonably suggest of the invention claimed in independent claim 18 for reasons previously set forth. Applicants traverse Examiners rejection of dependent claim 19. Consistent with previous arguments, Dalton et al. fail ore reasonably suggest of employing a magnifying lens. Finkelstein et al. fail to teach or reasonably suggest providing the switch and light as claimed, in which the light is disposed at one of the opposing major faces for projecting light directly away from and illuminating objects confronting the one of the opposing major faces.

9. Dalton et al. (US Patent 6,070,990), Kite (US Patent 4,889,419)

Claims 20 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dalton et al. (US Patent 6,070,990) in view of Kite (US Patent 4,889,419). Applicants respectfully traverse the section 103 rejections of claims 20 and 21. Claims 20 and 21 depend from independent claim 18, which is believed to be in condition for allowance as explained in SA. Accordingly, the section 103 rejections of dependent claims 20 and 21 are believed moot. Nevertheless, Dalton et al. fail to teach or reasonably suggest employing a mirror, and Kite fails to teach or reasonably suggest employing a magnifying lens or a light and switch, as previously discussed.

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10. Dalton et al. (US Patent 6,070,990), Finkelstein et al. (US Patent 5,608,203)

Claim 22 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Dalton et al. (US Patent 6,070,990) in view of Finkelstein et al. (US Patent 5,608,203). Applicants traverse Examiners rejection of dependent claim 22. Claim 22 depends from independent claim 18, which is believed to be in condition for allowance as explained in SA. Accordingly, the section 103 rejection of dependent claim 22 is believed moot and should be withdrawn.

11. Dalton et al. (US Patent 6,070,990)

Claim 23 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Dalton et al. (US Patent 6,070,990). Applicants traverse Examiners rejection of dependent claim 23. Claim 23 depends from independent claim 18, which is believed to be in condition for allowance as explained in SA. Accordingly, the section 103 rejection of dependent claim 23 is believed moot and should be withdrawn. Nevertheless, Dalton et al. fail to teach or reasonably suggest of the invention claimed in independent claim 18 for reasons previously set forth. In particular, although Examiner states that it would have been obvious to combine measure feature to a card device disclosed by Dalton et al. since it is known that a flat surface can be utilized as a measuring means with desired increments, Dalton et al. do not incorporate this teaching or suggestion and Examiner has failed to identify such a teaching or suggestion. It appears Examiner is working from personal knowledge in making this statement.

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Applicants respectfully traverse Examiner's reasoning and respectfully request an affidavit from Examiner.

12. Finkelstein et al. (US Patent 5,608,203), Kite (US Patent 4,889,419), Dalton et al. (US Patent 6,070,990)

Claims 29-31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Finkelstein et al. (US Patent 5,608,203), Kite (US Patent 4,889,419), and Dalton et al. (US Patent 6,070,990). Applicants respectfully traverse the section 103 rejections of claims 29-31.

Of claims 29-31, only claim 29 is independent. Claims 30 and 31 depend from independent claim 29. In independent claim 29, applicants claim a commercial card-sized chassis having opposing major faces and an opening, a magnifying lens disposed at the opening, a mirror disposed proximate one of the opposing major faces, a switch carried by the chassis, and a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed to be capable of projecting light away from and illuminating objects confronting at least one of the magnifying lens and the mirror. In rejecting independent claim 29, Examiner asserts that Finkelstein et al., Kite and Dalton et al. disclose a commercial card sized chassis having opposing major faces where Finkelstein et al. discloses a magnifying lens, Kite discloses a mirror and Dalton discloses a light and switch. Examiner concludes that it would have been obvious to combine teachings of Finkelstein et al., Kite and Dalton et al. because mentioned references relate to a credit card or card like device having these different features.

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As previously argued, an invention does not make itself obvious; that suggestion or teaching must come from the prior art. Examiner's conclusion that *it would have been obvious to combine the teachings of Finkelstein et al., Kite and Dalton et al. because the mentioned references relate to a credit card or card like devices having various features* does not come from Finkelstein et al. or from Kite or from Dalton et al. Simply concluding obviousness because inventions of patents relate to one another is not enough for a competent section 103 rejection. There is no teaching or suggestion in Finkelstein et al., Kite and/or Dalton et al. of the desirability of incorporating a light positioned to illuminate objects confronting one of a magnifying lens and a mirror. The teaching or suggestion to combine the teachings of Finkelstein et al., Kite and Dalton et al. comes from applicants' patent application and not from the prior art. Moreover, [i]t is insufficient to establish obviousness that the separate elements of the invention existed in the prior art, absent some teaching or suggestion, in the prior art, to combine the elements."⁵ Although the Examiner has identified, in the prior art, a commercial card-sized chassis, a magnifying lens, a mirror, a switch and a light, the Examiner has not identified a teaching or suggestion in the prior art to combine these elements as claimed and set forth by applicants in independent claim 29.

⁵ *Arkie Lures, Inc. v. Gene Larew Tackle, Inc.*, 119 F.3d 953, 43 USPQ 2d 1294 (Fed. Cir. 1997).

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Accordingly, Examiner's section 103 rejection of independent claim 29 is believed moot and should be withdrawn. Because claims 30 and 31 depend from independent claim 29, the section 103 rejections of claims 30 and 31 are believed moot and should be withdrawn.

CONCLUSION

In sum, applicants' claim terms mean something entirely different from the prior art of record in this case. In view of the foregoing going, applicants believe that all of the claims presently pending in this case are in condition for allowance, which action is earnestly solicited.

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Clean copies of amended claims 1, 3, 7, 9, 18, 20, 21 and
29:

1. Apparatus comprising:

A1
a commercial card-sized chassis having an opening;

a magnifying lens disposed at the opening;

a switch carried by the chassis; and

a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed for projecting light directly away from the magnifying lens for illuminating objects confronting the magnifying lens.

A2 ²/₃ Apparatus of claim 1, wherein the chassis includes opposing major faces and the light is disposed so that it is capable of directing light away from one of the opposing major faces.

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67. Apparatus comprising:

AB a commercial card-sized chassis having opposing major faces;

a mirror disposed proximate one of the opposing major faces;

a switch carried by the chassis; and

a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed for projecting light directly away from the mirror for illuminating objects confronting the mirror.

AH 7. Apparatus of claim ⁶7, wherein the light is disposed so that it is capable of directing light away from the one of the opposing major faces.

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¹⁴18. Apparatus comprising:

A5

a commercial card-sized chassis having opposing major faces;

a switch carried by the chassis;

a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch; and

the light disposed at one of the opposing major faces for projecting light directly away from and illuminating objects confronting the one of the opposing major faces.

A6

¹⁶

¹⁴
20. Apparatus of claim ¹⁴18, further including a mirror disposed proximate the one of the opposing major faces.

¹⁷

¹⁶
21. Apparatus of claim ¹⁶20, wherein the light is disposed so that it is capable of directing light away from the mirror illuminating objects confronting the mirror.

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23 29. Apparatus comprising:

A7

a commercial card-sized chassis having opposing major faces and an opening;

a magnifying lens disposed at the opening;

a mirror disposed proximate one of the opposing major faces;


a switch carried by the chassis; and

a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed to be capable of projecting light away from and illuminating objects confronting at least one of the magnifying lens and the mirror.

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Art Unit: 2875

Examiner's thorough and thoughtful consideration of this application is sincerely appreciated. Should there be any remaining issues, Examiner is cordially invited to telephone the undersigned for a speedy resolution.

Respectfully submitted,


Michael W. Goltry
Attorney for Applicant
Reg. No. 39,692

10 July 2002
340 East Palm Lane
Suite 260
Phoenix, Arizona 85004
(602) 252-7494



Case Docket No. 4229-PA1

Applicant: Steven H. Goldstein et al.

Serial No.: 09/952,798

Filed: 14 September 2001

Title: APPARATUS HAVING MAGNIFYING, ILLUMINATING AND
MIRRORING ATTRIBUTESCommissioner of Patents and Trademarks
Washington, D.C. 20231COPY OF PAPERS
ORIGINALLY FILEDRECEIVED
JUL 18 2002
TECHNOLOGY CENTER 2800

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Small entity status of this application is claimed by applicant☐ Design Application, no additional fee required.☒ Utility application, fee calculated on table below.

The fee has been calculated as shown below:

	Claims Remaining After Amendment	Highest No Previously Paid For	Present Extra	Small Entity	Large Entity
TOTAL	29 -	31	0	X 9 = \$0	or X 18 = \$
INDEP	6 -	6	0	X 42 = \$0	or X 84 = \$
MULTIPLE DEPEND CLAIM PRESENTED				X140 = \$0	or X280 = \$
				TOTAL	or TOTAL \$
				\$	

☐ Please charge the Deposit Account No. _____ in the amount of \$ _____.☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____.☐ A duplicate copy of this transmittal sheet is enclosed.☐ A check in the amount of \$ _____ is attached.

Respectfully submitted,

7/10/2002
DATE

Michael W. Goltry, Reg. No. 39,692

4



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/952,798	09/14/2001	Steven H. Goldstein	4229-PA1	5468

7590 09/12/2002
 Michael W. Goltry
 PARSONS & GOLTRY
 Suite 260
 340 East Palm Lane
 Phoenix, AZ 85004

EXAMINER

CHOI, JACOB Y

ART UNIT	PAPER NUMBER
----------	--------------

2875

DATE MAILED: 09/12/2002

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/952,798	GOLDSTEIN ET AL.	
	Examiner	Art Unit	
	Jacob Y Choi	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 16 July 2002.

2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1, 3-7 & 9-31 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☒ Claim(s) 1, 3-7, 9-12, 18-23 & 29-31 is/are allowed.

6) ☒ Claim(s) 13, 14, 16, 17 and 24-28 is/are rejected.

7) ☒ Claim(s) 15 is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 14 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____

4) ☐ Interview Summary (PTO-413) Paper No(s). _____

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 13, 16, 17, 24, 27 & 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finkelstein et al. (USPN 5,608,203) in view of Kite (USPN 4,889,419).

Regarding claims 13 & 24, Finkelstein et al. discloses the claimed invention, a lens, permitting magnification, except for a mirror that permits a reflection. Kite teaches that it is know to modify the commercial cards with a mirror. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify commercial card with a magnifying lens of Finkelstein et al., with teachings of Kite in order to have a simple benefit of both magnifying lens and a mirror in one commercial card in one. A simple magnifying lens and a mirror has been well known in the art and combining known feature in a same application, as commercial card would have been obvious. In addition, it is inherent that most commercial card comprises a layer of plastic clear coating which permits reflection.

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Regarding claim 16, Finkelstein et al. in view of Kite discloses the claimed invention, explained above. In addition, Finkelstein et al. discloses a surface carried by the chassis to which data is capable of being recorded.

Regarding claims 17 & 28, Finkelstein et al. in view of Kite discloses the claimed invention, explained above, except for measuring indicia, which is carried by the chassis. It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine measuring feature to a card device disclosed by either Finkelstein et al. or Kite, since it is obvious that each edge of a certain sized commercial card would carry out a measuring means and may be utilized as a measuring device.

Regarding claim 27, Finkelstein et al. in view of Kite discloses the claimed invention, explained above. In addition, Finkelstein et al. discloses a surface carried by the chassis to which data is capable of being recorded.

3. Claims 14, 25 & 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finkelstein et al. (USPN 5,608,203) in view of Kite (USPN 4,889,419) as applied to claims 13 & 24 above, and further in view of Dalton et al. (USON 6,070,990).

Regarding claims 14 & 25, Finkelstein et al. in view of Kite discloses claimed invention, explained above. Either Finkelstein et al. or Kite do not specifically disclose a switch carried by the chassis, and a light carried by the chassis that is capable of being actuated in response to actuation of the switch. Dalton et al. teaches that is it known to modify commercial card with a light assembly having a switch (column 2-3, lines 55-10, Figure 3) carried by the chassis, and a light (36) carried by the chassis that

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is capable of being actuated in response to actuation of the switch. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use modification Finkelstein et al. in view of Kite as taught by Dalton et al. in order to have a simple benefit of a light and switch means with magnifying lens and a mirror in one commercial card in one. An addition of known features to a commercial card such as a light and a switch would have been obvious to one skilled in the art.

Regarding claim 26, Finkelstein et al. in view of Kite as applied to claims 24 & 25 above, and further in view of Dalton et al. discloses claimed invention, explained above. In addition, Delton et al. discloses the light is disposed so that it is cable of directing light away from the one of the opposing faces. It would have been obvious to one having ordinary skill in the art at the time the invention was made to located the light onto the opposing major faces, since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

Note: specify the purpose of locating the light onto opposing major face

Allowable Subject Matter

4. Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 1, 3-7, 9-12, 18-23 & 29-31 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the claims recite a commercial card-sized chassis having an switch carried by

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the chassis, and a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed for projecting light directly away from the magnifying lens / the mirror for illuminating objects confronting the magnifying lens / the mirror. Because none of the reference disclosed the combination of a light is disposed for projecting light directly away from the magnifying lens / the mirror for illuminating objects confronting the magnifying lens/ the mirror, nor is there any motivation to combine them, the claims are deemed patentable over the prior art of record.

Response to Amendment

6. Examiner acknowledges that the applicant has amended claims 1, 3, 7, 9, 18, 20, 21 & 29 and cancelled claims 2 & 8.

Response to Arguments

7. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, reference Finkelstein et al. does not specifically points out that the card member comprising a

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shiny major faces capable of creating a reflection (mirror creates reflection), but most card member does contain this characteristic. Therefore, combining teachings of Finkelstein et al. and Kite would have been obvious at the time the invention was made. In addition, combining teachings of Dalton et al. with teachings of either Finkelstein et al. or Kite would also have been in order to have a simple benefit of a light and switch means for an illumination with magnifying lens and a mirror in one commercial card in one.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y Choi whose telephone number is (703) 308-4792. The examiner can normally be reached on Monday-Friday (9:30-6:30).


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-8303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-7724.

JC
September 5, 2002



THOMAS M. GENDRON
PRIMARY EXAMINER

5

12/11/2002 14:14 6022527198

PARSONS & GOLTRY

PAGE 04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:
Goldstein et al.

Serial No.:
09/952,798

Filed:
14 September 2001

For: APPARATUS HAVING
MAGNIFYING,
ILLUMINATING AND
MIRRORING ATTRIBUTES

Ex: Choi, Jacob Y.
Art Unit: 2875

*entered
1/16/03
amr*

*5th / amdt
B649*

*12/23/02
DBW*

*Reply to Letter
D.C.*

RESPONSE, AMENDMENT AND REQUEST FOR RECONSIDERATION

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231
BOX AF

FAX RECEIVED

DEC 11 2002

TECHNOLOGY CENTER 2800

Dear Sir:

This is a response to the Office Action mailed 12 September 2002. A shortened statutory period for response was set for 3 months, up to and including 12 December 2002.

Claims 1, 3-7, and 9-31 are pending in this application.

Claims 1, 3-7, 9-12, 18-23, and 29-31 are allowed.

Claims 13, 14, 16, 17, and 24-28 are rejected.

Claim 15 is objected to.

Reconsideration is respectfully requested in view of the following amendments and remarks.

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PARSONS & GOLTRY

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Art Unit: 2875

AMENDMENTS

Kindly amend the application as follows:

In the Claims

Claims 14, 15, 25, and 26, please cancel without prejudice to the subsequent filing of a continuation application.

Claims 13 and 24, please amend as follows:

13. (Amended) Apparatus comprising:

a commercial card-sized chassis; [and]

a two-way lens disposed at the opening, which includes a first side permitting magnification and a second side permitting reflection;

a switch carried by the chassis; and

a light carried by the chassis that is capable of being actuated in response to actuation of the switch;

wherein the light is disposed so that is capable of directing light away from the second side of the lens.

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DEC 11 2002

TECHNOLOGY CENTER 2800

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24. (Amended) Apparatus comprising:

a commercial card-sized chassis having opposing major faces and an opening;

a magnifying lens disposed at the opening; [and]

a mirror disposed proximate one of the opposing major faces;

a switch carried by the chassis; and

a light carried by the chassis that is capable of being actuated in response to actuation of the switch;

wherein the light is disposed so that it is capable of directing light away from the one of the opposing major faces.

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PARSONS & GOLTRY

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REMARKS

Status of the Claims

Claims 14, 15, 25, and 26 are canceled without prejudice to the subsequent filing of a continuation application. Claims 1, 3-7, 9-13, 16-24, and 27-31 are now pending in this case. Independent claims 13 and 24 are amended and believed to be in condition for allowance. Independent claim 13 is amended to include the limitations of objected to dependent claim 15 and intervening claim 14. Independent claim 24 has been amended to include the limitations of dependent claim 26 and intervening claim 25.

Applicants acknowledge the allowance of claims 1, 3-7, 9-12, 18-23, and 29-31. All claims now pending in this case are believed to be in condition for allowance.

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PARSONS & GOLTRY

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Serial Number: 09/952,798

Art Unit: 2875

Clean copies of amended claims 13 and 24:

11
13. Apparatus comprising:

a commercial card-sized chassis;

B a two-way lens disposed at the opening, which includes a first side permitting magnification and a second side permitting reflection;

a switch carried by the chassis; and

a light carried by the chassis that is capable of being actuated in response to actuation of the switch;

wherein the light is disposed so that is capable of directing light away from the second side of the lens.

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PARSONS & GOLTRY

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Art Unit: 2875

20 24. Apparatus comprising:

a commercial card-sized chassis having opposing major faces and an opening;

a magnifying lens disposed at the opening;

B a mirror disposed proximate one of the opposing major faces;

a switch carried by the chassis; and

a light carried by the chassis that is capable of being actuated in response to actuation of the switch;

wherein the light is disposed so that it is capable of directing light away from the one of the opposing major faces.

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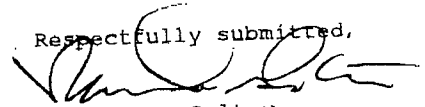
PARSONS & GOLTRY

PAGE 10

Serial Number: 09/952,798
Art Unit: 2875

Examiner's thorough and thoughtful consideration of this application is sincerely appreciated. Should there be any remaining issues, Examiner is cordially invited to telephone the undersigned for a speedy resolution.

Respectfully submitted,



Michael W. Goltry
Attorney for Applicant
Reg. No. 39,692

11 December 2002
340 East Palm Lane
Suite 260
Phoenix, Arizona 85004
(602) 252-7494

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PAGE 01

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PATENT, TRADEMARK AND COPYRIGHT LAW
340 EAST PALM LANE, SUITE 200
PHOENIX, ARIZONA 85004

TCL 802.252.7494
FAX 602.252.7198

EMAIL: PROTECT@PATENTSAVERS.COM
WWW.PATENTSAVERS.COM

Fax Cover Sheet

DATE: 12/11/02

TIME: 2:10 p.m.

TO: CHOI
2875

PHONE:
FAX: 703-308-7724

FROM:
Parsons & Goltry

PHONE: 602-252-7494
FAX: 602-252-7198

RE: GIDDREW, ETAL.

09/952,798 Apparatus having mag...
Number of pages including cover sheet: 10

Confirmation Copy to follow? ☒ No ☐ Yes

The information contained in this facsimile message is privileged and confidential information intended only for the use of the individual or entity(ies) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us by telephone, and return the original message to us at the below address via the U.S. Postal Service. Receipt by anyone other than the intended recipient is not intended as a waiver of any attorney-client or work product privilege.

Message

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DEC 11 2002

TECHNOLOGY CENTER 2800

12/11/2002 14:14 6022527198

PARSONS & GOLTRY

PAGE 02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven H. Goldstein et al.)
Serial No.: 09/952,798) Ex: CHOI
Filed: 14 September 2001) Unit: 2875
Title: APPARATUS HAVING MAGNIFYING, ILLUMINATING)
AND MIRRORING ATTRIBUTES)

CERTIFICATION OF FACSIMILE TRANSMISSION

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

FAX RECEIVED
DEC 11 2002
TECHNOLOGY CENTER 2800

Dear Sir:

I hereby certify that this correspondence, consisting of Amendment Transmittal Form and Response, Amendment and Request For Reconsideration, seven (7) pages, is being facsimile transmitted to the Patent and Trademark Office (Fax. No. 703-308-7724) on the date shown below.

Signature

Heidi Edwath

Date

11 December 2002

11 December 2002

Respectfully Submitted,

Michael W. Goltry

Michael W. Goltry
Attorney for Applicant
Reg. No. 39,692

340 East Palm Lane
Suite 260
Phoenix, Arizona 85004
(602) 252-7494

12/11/2002 14:14 6022527198

PARSONS & GOLTRY

PAGE 03

Case Docket No. 4229-PA1

Applicant: Steven H. Goldstein et al.)
 serial No.: 09/952,798)
 Filed: 14 September 2001)
 Title: APPARATUS HAVING MAGNIFYING, ILLUMINATING AND)
 MIRRORING ATTRIBUTES)

Commissioner of Patents and Trademarks
 Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Small entity status of this application is claimed by applicant☐ Design Application, no additional fee required.☒ Utility application, fee calculated on table below.

FAX RECEIVED

DEC 11 2002

The fee has been calculated as shown below:

TECHNOLOGY CENTER 2800

	Claims Remaining After Amendment	Highest No Previously Paid For	Present Extra	Small Entity	Large Entity
TOTAL	25 -	31	0	X 9 = \$0	or X 18 = \$
INDEP	6 -	6	0	X 42 = \$0	or X 84 = \$
MULTIPLE DEPEND CLAIM PRESENTED				X140 = \$0	or X280 = \$
				TOTAL	or TOTAL \$
				\$	


☐ Please charge the Deposit Account No. _____ in the amount of \$ _____.

☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____.

☐ A duplicate copy of this transmittal sheet is enclosed.

☐ A check in the amount of \$ _____ is attached.

Respectfully submitted,


 Michael W. Goltry, Reg. No. 39,692

DATE/

12/11/2002

6

Notice of Allowability	Application No.	Applicant(s)	
	09/952,798	GOLDSTEIN ET AL.	
	Examiner	Art Unit	
	Jacob Y Choi	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/11/2002.
2. ☒ The allowed claim(s) is/are 1,3-7,9-13,16-24,31 and 37.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

<ol style="list-style-type: none"> 1 <input type="checkbox"/> Notice of References Cited (PTO-892) 3 <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____. 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material 	<ol style="list-style-type: none"> 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. 6 <input type="checkbox"/> Examiner's Amendment/Comment 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9 <input type="checkbox"/> Other
--	--

Application/Control Number: 09/952,798
Art Unit: 2875

Page 2

DETAILED ACTION

Response to Amendment

1. Examiner acknowledges that the applicant has amended claims 13 & 24 and cancelled claims 14, 15, 25 & 26 without prejudice.

Allowable Subject Matter

2. Claims 1, 3-7, 9-13, 16-24 & 37-31 allowed.
3. The following is an examiner's statement of reasons for allowance: as previously stated, the claims recite a commercial card-sized chassis having an switch carried by the chassis, and a light carried by the chassis that is capable of being actuated to generate light in response to actuation of the switch, in which the light is disposed for projecting light directly away from the magnifying lens / the mirror for illuminating objects confronting the magnifying lens / the mirror. Because none of the reference disclosed the combination of the light is disposed for projecting light directly away from the magnifying lens / the mirror for illuminating objects confronting the magnifying lens / the mirror, nor is there any motivation to combine them, the claims are deemed patentable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Application/Control Number: 09/952,798
Art Unit: 2875

Page 3

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

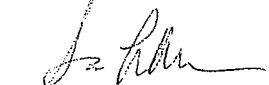
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y Choi whose telephone number is (703) 308-4792. The examiner can normally be reached on Monday-Friday (10:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-7724.

JC
December 26, 2002


JACOB Y. CHOI
Examiner
Inventive Process Unit

Form PTO 948 (Rev. 03/01)

U.S. DEPARTMENT OF COMMERCE - Patent and Trademark Office

Application No. 09/952,798NOTICE OF DRAFTSPERSON'S
PATENT DRAWING REVIEWThe drawing(s) filed (insert date) 09/14/04 are:A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. The Examiner will require submission of new, corrected drawings when necessary. Corrected drawing must be submitted according to the instructions on the back of this notice.

<p>1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings:</p> <p>Black ink. Color.</p> <p>Color drawings are not acceptable until petition is granted. Fig(s) _____</p> <p>Pencil and non black ink not permitted. Fig(s) _____</p> <p>2. PHOTOGRAPHS. 37 CFR 1.84(b)</p> <p>1 full-tone set is required. Fig(s) _____</p> <p>Photographs may not be mounted. 37 CFR 1.84(c)</p> <p>Poor quality (half-tone). Fig(s) _____</p> <p>3. TYPE OF PAPER. 37 CFR 1.84(e)</p> <p>Paper not flexible, strong, white, and durable. Fig(s) _____</p> <p>Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted. Fig(s) _____</p> <p>Mylar, velum paper is not acceptable (too thin). Fig(s) _____</p> <p>4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:</p> <p>21.0 cm by 29.7 cm (DIN size A4)</p> <p>21.6 cm by 27.9 cm (8 1/2 x 11 inches)</p> <p>All drawing sheets not the same size. Sheet(s) _____</p> <p>Drawings sheets not an acceptable size. Fig(s) _____</p> <p>5. MARGINS. 37 CFR 1.84(g): Acceptable margins:</p> <p>Top 2.5 cm Left 2.5cm Right 1.5 cm Bottom 1.0 cm</p> <p>SIZE: A4 Size</p> <p>Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm</p> <p>SIZE: 8 1/2 x 11</p> <p>Margins not acceptable. Fig(s) _____</p> <p>Top (T) _____ Left (L) _____</p> <p>Right (R) _____ Bottom (B) _____</p> <p>6. VIEWS. 37 CFR 1.84(h)</p> <p>REMINDER: Specification may require revision to correspond to drawing changes.</p> <p>Partial views. 37 CFR 1.84(h)(2)</p> <p>Brackets needed to show figure as one entity. Fig(s) _____</p> <p>Views not labeled separately or properly. Fig(s) _____</p> <p>Enlarged view not labeled separately or properly. Fig(s) _____</p> <p>7. SECTIONAL VIEWS. 37 CFR 1.84 (h)(3)</p> <p>Hatching not indicated for sectional portions of an object. Fig(s) _____</p> <p>Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____</p>	<p>8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)</p> <p>Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____</p> <p>9. SCALE. 37 CFR 1.84(k)</p> <p>Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction. Fig(s) _____</p> <p>10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(j)</p> <p>Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) <u>1-15</u></p> <p>11. SHADING. 37 CFR 1.84(m)</p> <p>Solid black areas pale. Fig(s) _____</p> <p>Solid black shading not permitted. Fig(s) _____</p> <p>Shade lines, pale, rough and blurred. Fig(s) _____</p> <p>12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)</p> <p>Numbers and reference characters not plain and legible. Fig(s) _____</p> <p>Figure legends are poor. Fig(s) _____</p> <p>Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____</p> <p>English alphabet not used. 37 CFR 1.84(p)(2) Figs _____</p> <p>Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig(s) _____</p> <p>13. LEAD LINES. 37 CFR 1.84(q)</p> <p>Lead lines cross each other. Fig(s) _____</p> <p>Lead lines missing. Fig(s) _____</p> <p>14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)</p> <p>Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Sheet(s) _____</p> <p>15. NUMBERING OF VIEWS. 37 CFR 1.84(u)</p> <p>Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____</p> <p>16. CORRECTIONS. 37 CFR 1.84(w)</p> <p>Corrections not made from prior PTO-948 dated _____</p> <p>17. DESIGN DRAWINGS. 37 CFR 1.152</p> <p>Surface shading shown not appropriate. Fig(s) _____</p> <p>Solid black shading not used for color contrast. Fig(s) _____</p>
<p>COMMENTS</p>	

REVIEWER DRAFTSMAN: SON LAM DATE 01/02/03 TELEPHONE NO. _____ATTACHMENT TO PAPER NO. 6 140



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 01/07/2003
Michael W. Goltry
PARSONS & GOLTRY
Suite 260
340 East Palm Lane
Phoenix, AZ 85004

EXAMINER	
CHOI, JACOB Y	
ART UNIT	CLASS-SUBCLASS
2875	362-253000

DATE MAILED: 01/07/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/952,798	09/14/2001	Steven H. Goldstein	4229-PA1	5468

TITLE OF INVENTION: APPARATUS HAVING MAGNIFYING, ILLUMINATING AND MIRRORING ATTRIBUTES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$0	\$1300	04/07/2003

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Box ISSUE FEE
 Commissioner for Patents
 Washington, D.C. 20231
Fax (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)
 7590 01/07/2003

Michael W. Goltry
 PARSONS & GOLTRY
 Suite 260
 340 East Palm Lane
 Phoenix, AZ 85004

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/952,798	09/14/2001	Steven H. Goldstein	4229-PA1	5468

TITLE OF INVENTION: APPARATUS HAVING MAGNIFYING, ILLUMINATING AND MIRRORING ATTRIBUTES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$0	\$1300	04/07/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHOI, JACOB Y	2875	362-253000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 _____
 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent)

☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
☐ Publication Fee
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20501
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/952,798	09/14/2001	Steven H. Goldstein	4229-PA1	5468
	7590 01/07/2003		EXAMINER	
Michael W. Goltry PARSONS & GOLTRY Suite 260 340 East Palm Lane Phoenix, AZ 85004			CHOI, JACOB Y	
			ART UNIT	PAPER NUMBER
			2875	
DATE MAILED: 01/07/2003				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
 (application filed on or after May 29, 2000)

The patent term adjustment to date is 0 days. If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the term adjustment will be 0 days.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (<http://pair.uspto.gov>)

Any questions regarding the patent term extension or adjustment determination should be directed to the Office of Patent Legal Administration at (703)305-1383.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20503
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/952,798	09/14/2001	Steven H. Goldstein	4229-PA1	5468
7590	01/07/2003			
Michael W. Goltry PARSONS & GOLTRY Suite 260 340 East Palm Lane Phoenix, AZ 85004 UNITED STATES				
EXAMINER				
CHOI, JACOB Y				
ART UNIT		PAPER NUMBER		
2875				
DATE MAILED: 01/07/2003				

Notice of Fee Increase on January 1, 2003

If a reply to a "Notice of Allowance and Fee(s) Due" is filed in the Office on or after January 1, 2003, then the amount due will be higher than that set forth in the "Notice of Allowance and Fee(s) Due" since there will be an increase in fees effective on January 1, 2003. See Revision of Patent and Trademark Fees for Fiscal Year 2003; Final Rule, 67 Fed. Reg. 70847, 70849 (November 27, 2002).

The current fee schedule is accessible from: <http://www.uspto.gov/main/howtofees.htm>.

If the issue fee paid is the amount shown on the "Notice of Allowance and Fee(s) Due," but not the correct amount in view of the fee increase, a "Notice to Pay Balance of Issue Fee" will be mailed to applicant. In order to avoid processing delays associated with mailing of a "Notice to Pay Balance of Issue Fee," if the response to the Notice of Allowance and Fee(s) due form is to be filed on or after January 1, 2003 (or mailed with a certificate of mailing on or after January 1, 2003), the issue fee paid should be the fee that is required at the time the fee is paid. If the issue fee was previously paid, and the response to the "Notice of Allowance and Fee(s) Due" includes a request to apply a previously-paid issue fee to the issue fee now due, then the difference between the issue fee amount at the time the response is filed and the previously paid issue fee should be paid. See Manual of Patent Examining Procedure, Section 1308.01 (Eighth Edition, August 2001).

Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

7



**REQUEST TO RESCIND PREVIOUS
NONPUBLICATION REQUEST**
35 U.S.C. 122(b)(2)(B)(ii)

Application Number 09/952,798
Filing Date 14SEPTEMBER2001
First Named Inventor GOLDSTEIN, STEVEN H.
Title APPARATUS HAVING MAGNIFYING, ILLUMINATING
AND MIRRORING ATTRIBUTES
Atty Docket Number 4229-PA1
Group Art Unit 2875
Examiner

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

21 DECEMBER 2001

Date

Michael W. Goltry
Signature

MICHAEL W. GOLTRY

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

Note: Filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or international filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five days (45) days after the date of filing of such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or international filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is not filed within forty-five days (45) days after the date of filing of the foreign or international application.

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Date 21 December 2001

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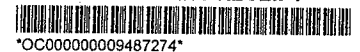
Page 1 of 2


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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/952,798	09/14/2001	2875	574	4229-PA1	5	31	6

CONFIRMATION NO. 5468

CORRECTED FILING RECEIPT



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 Suite 260
 340 East Palm Lane
 Phoenix, AZ 85004

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Applicant(s)
 Steven H. Goldstein, Scottsdale, AZ;
 Carol D. Goldstein, Scottsdale, AZ;
 Mary Margaret Jelava-Risley, Scottsdale, AZ;
 William Buell Risley, Scottsdale, AZ;
Domestic Priority data as claimed by applicant

This appln claims benefit of 60/259,420 12/30/2000

Foreign Applications

If Required, Foreign Filing License Granted: 10/12/2001

Projected Publication Date: 05/15/2003

Non-Publication Request: No

Early Publication Request: No

Title

APPARATUS HAVING MAGNIFYING, ILLUMINATING AND MIRRORING ATTRIBUTES

Preliminary Class

362

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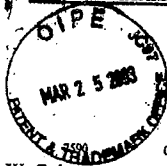
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01/07/2003

EXAMINER	
CHOI, JACOB Y	
ART UNIT	CLASS-SUBCLASS
2875	362-253000

DATE MAILED: 01/07/2003

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/952,798	09/14/2001	Steven H. Goldstein	4229-PA1	5468

TITLE OF INVENTION: APPARATUS HAVING MAGNIFYING, ILLUMINATING AND MIRRORING ATTRIBUTES

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$0	\$1300	04/07/2003

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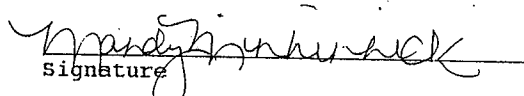
Applicant: GOLDSTEIN; ET AL.)
Serial No.: 09/952,798) Ex: CHOI
Filed: 14 SEPTEMBER 2001) Art Unit: 2875
For: APPARATUS HAVING MAGNIFYING)
ILLUMINATING AND MIRRORING)
ATTRIBUTES)

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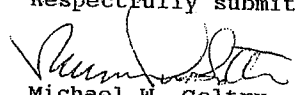
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Signature

17 March 2003

17 March 2003
Date

Respectfully submitted,


Michael W. Goltry
Attorney for Applicant
Reg. No. 39,692

PARSONS & GOLTRY
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Suite 260
Phoenix, Arizona 85004
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FIG. 1

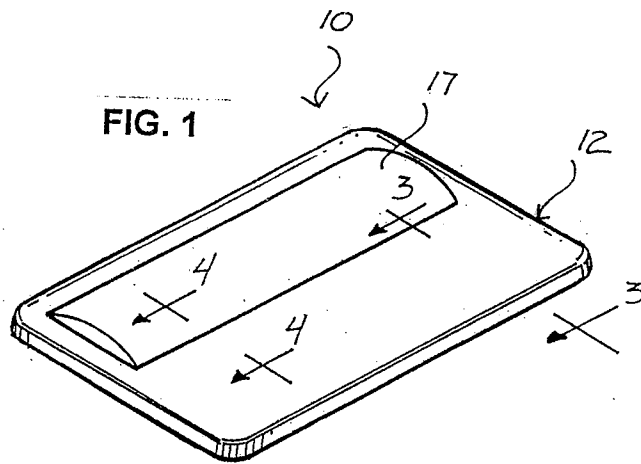


FIG. 3

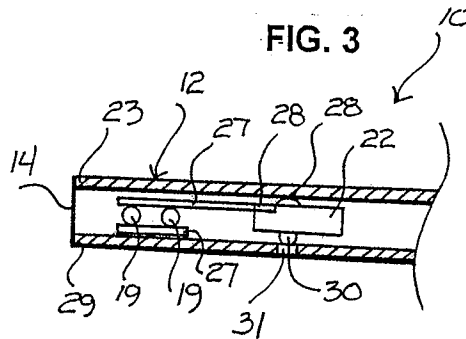
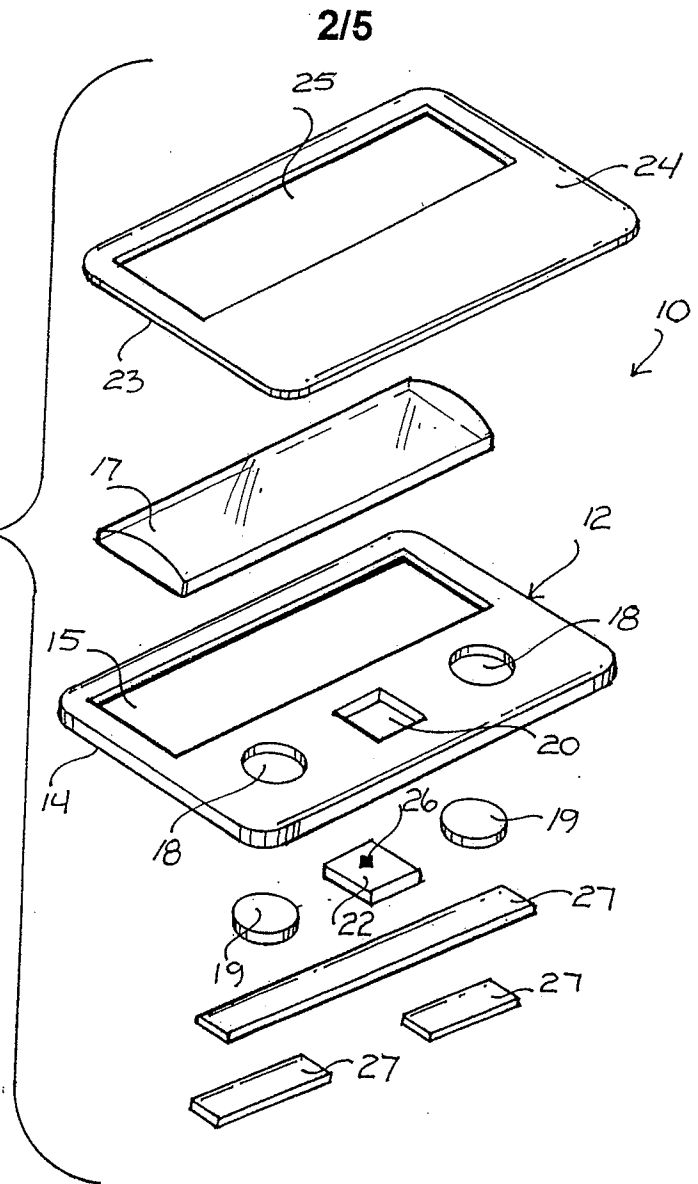




FIG. 2





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FIG. 4

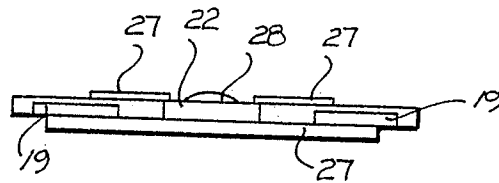
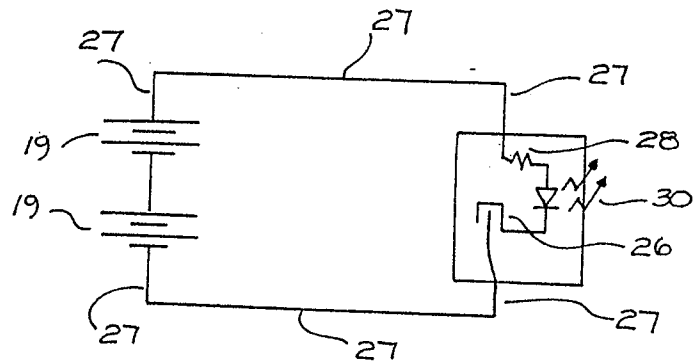
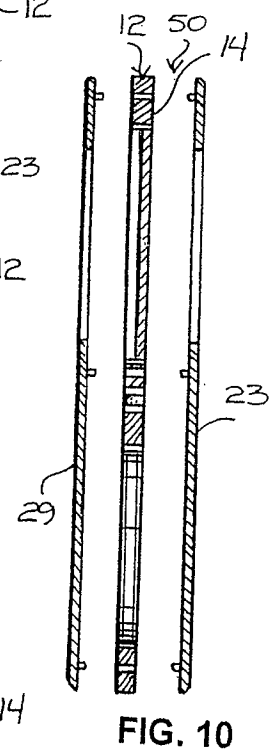
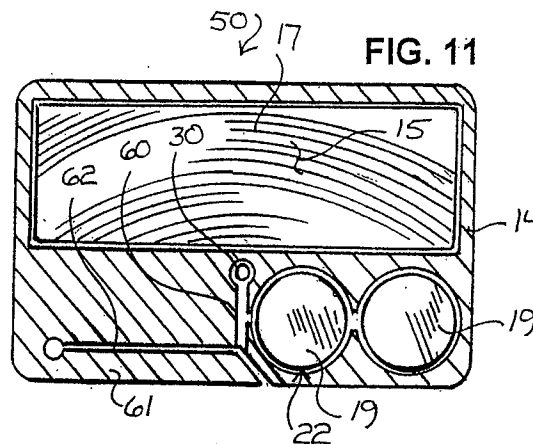
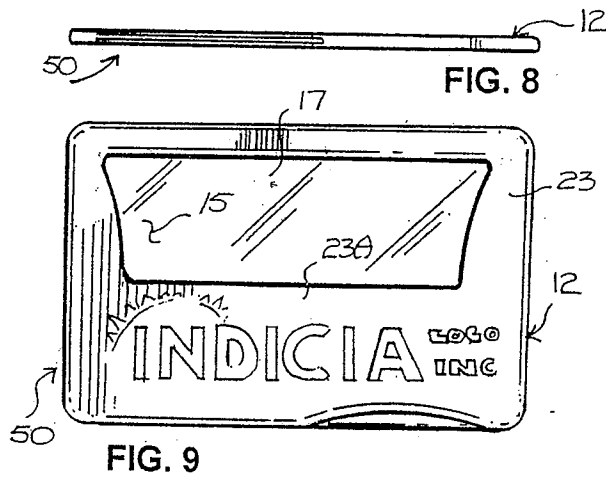
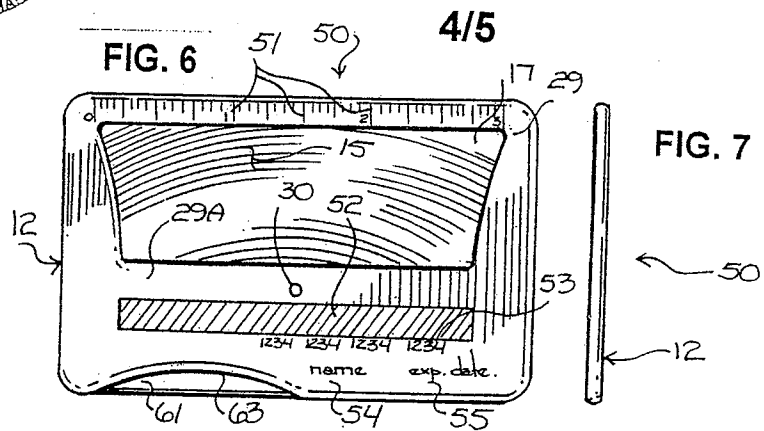
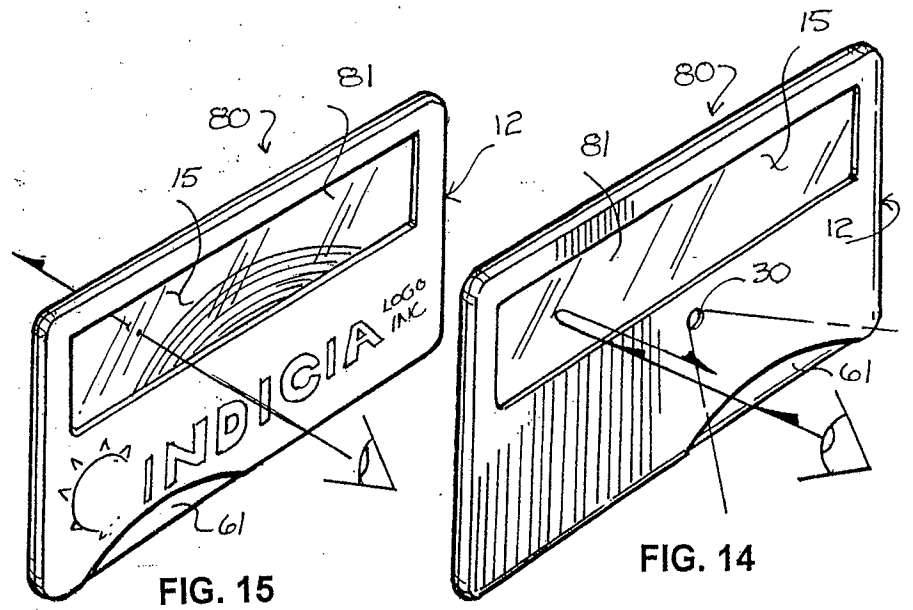
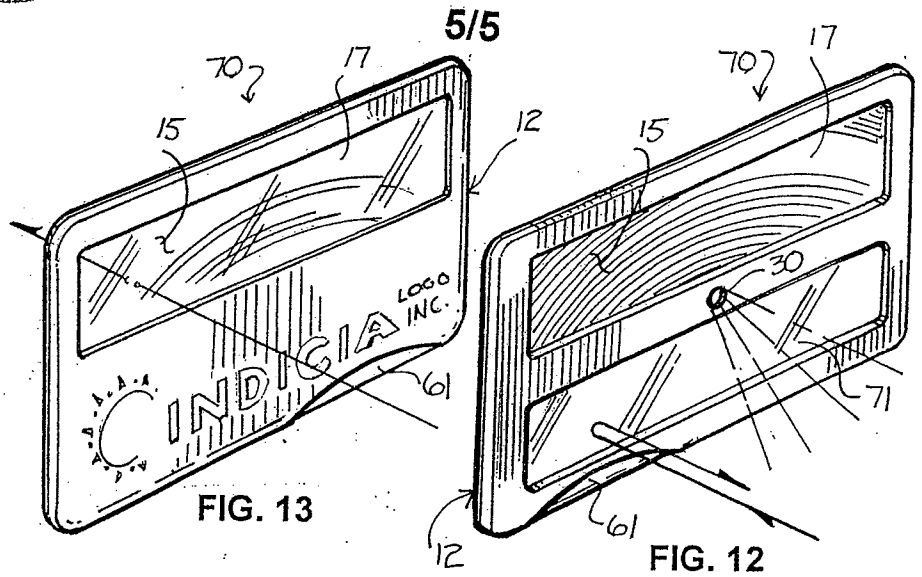


FIG. 5







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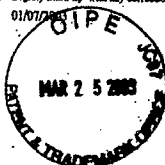
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 [Signature] (Signature)
 17 MARCH 2003 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/952,798	09/14/2001	Steven H. Goldstein	4229-PAJ	5468

TITLE OF INVENTION: APPARATUS HAVING MAGNIFYING, ILLUMINATING AND MIRRORING ATTRIBUTES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO YES	\$7500 \$30.00	\$0	\$7500 \$30.00	04/07/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHOI, JACOB Y	2875	362-253000

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 2. MICHAEL W. GOLTRY
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